

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

JOHN HENRY HUNTER, JR.,

Plaintiff,

vs.

ZACK JOHNSON, et al.,

Defendants.

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4:05-CV-2478-RDP-RRR

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on July 11, 2006, recommending that Defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that Defendants are entitled to judgment as a matter of law. Accordingly, Defendants' motion for summary judgment is due to be granted and this action is due to be dismissed with prejudice. A Final Judgment will be entered.

DONE and **ORDERED** this 16th day of August, 2006.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE